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SN#: 10/602,212
Response to OA-7/21/04

REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

In the Office Action, claims 1 to 10 were rejected under 35 U.S.C. 102(e) as being anticipated by Aida et al. (US Pub. No. US 2003/0130028). Claim 11 was rejected under 35 U.S.C. 103(a) as being unpatentable over Aida et al. in light of Ozaki et al (US Pub. No. US 2001/00311658).

The above-described rejections are addressed as follows:

(1) Aida et al (US Pub. No. US 2003/0130028)

Aida et al was filed in the United States on December 19, 2002. Accordingly, the effective date of Aida et al. as a reference under 35 U.S.C. 102(e) is December 19, 2002. Since the present application claims priority based on Japanese Patent Application No. 2002-246172, filed on August 27, 2002, Aida et al. cannot be prior art against the present application under 35 U.S.C. 102(e). A copy of an English translation of the priority

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document is attached hereto along with a certificate by a competent translator.

Since the Examiner's rejections relied on the primary reference to Aida et al., the applicant believes that claims 1-10 as written are patentable over the above-cited references. In addition because the present application predates the reference to Aida et al., the applicant believes that claim 11 is patentable over the above-cited references taken either singly or in combination.

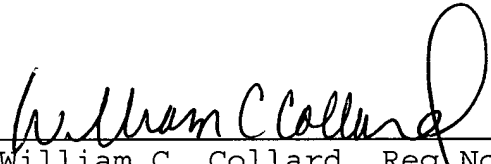
The applicant has amended claims 1-10, however the applicant believes that these amendments are not narrowing amendments. In addition new claims 12-21 have been added. No new matter has been added. There are a total of three (3) independent claims and twenty one (21) total claims. The Commissioner is hereby authorized to charge Collard & Roe, P.C.'s deposit account of 03-2468 the necessary fee for one additional dependent claim for a large entity. The Commissioner is hereby authorized to charge any additionally required fee to the above deposit account as well.

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In addition, the applicant is attaching the enclosed information disclosure statement reporting additional references cited in a Japanese office action relating to the priority application of the present application.

Respectfully submitted,
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Enclosures: Information Disclosure Statement; PTO Form 1449
w/six (6) references; Certified Translation of
Priority Document.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 21, 2004.



Maria Guastella